

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-5754, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

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| In the Matter of | |
| Application of Ruff Solar, LLC, for a |) ORDER ISSUING AMENDED |
| Certificate of Public Convenience and |) CERTIFICATE AND ACCEPTING |
| Necessity to Construct a 45.5-MW Solar |) REGISTRATION OF NEW |
| Facility in Rutherford County, North Carolina |) RENEWABLE ENERGY FACILITY |

BY THE COMMISSION: On October 4, 2016, the Commission issued an order granting a certificate of public convenience and necessity for Ruff Solar, LLC (Applicant), for construction of a 45.5-MW_{AC} solar photovoltaic electric generating facility to be located at approximately 1400 Ellenboro Henrietta Road, 3 miles south of Ellenboro, Rutherford County, North Carolina.

On October 5, 2016, the Applicant filed a registration statement for a new renewable energy facility. The registration statement included certified attestations that: (1) the facility is in substantial compliance with all federal and state laws, regulations, and rules for the protection of the environment and conservation of natural resources; (2) the facility will be operated as a new renewable energy facility; (3) the Applicant will not remarket or otherwise resell any renewable energy certificates sold to an electric power supplier to comply with G.S. 62-133.8; and (4) the Applicant will consent to the auditing of its books and records by the Public Staff insofar as those records relate to transactions with North Carolina electric power suppliers. The registration statement also clarified that the address of the Applicant's facility will be 1481 Ellenboro Henrietta Road, Ellenboro, NC 28040.

On January 29, 2018, the Applicant filed a letter amending its application. The amendment updated the site plan of the facility by shifting the boundary of the facility to add new land and remove land identified in the original site plan. According to the amendment, the new land added to the boundaries of the facility is located on the same parcels of land included in the original site plan. The amendment also identified a potential easement area.

On February 2, 2018, the Commission issued an Order directing that the Applicant's amended application be submitted to the State Clearinghouse for distribution to State agencies having an interest.

On March 14, 2018, the State Clearinghouse filed comments to the Applicant's amended application. The cover letter indicated that, because of the nature of the comments, no further State Clearinghouse review action by the Commission was required for compliance with the North Carolina Environmental Policy Act.

The Public Staff presented this matter to the Commission at its Regular Staff Conference on March 26, 2018. The Public Staff stated that it had reviewed the amended application and determined it to be in compliance with the requirements of G.S. 62-110.1(a) and Commission Rule R8-64. The Public Staff further stated that the registration statement contains the certified attestations required by Commission Rule R8-66(b). Therefore, the Public Staff recommended approval of the amended certificate and registration for the facility.

After careful consideration, the Commission finds good cause to approve the amended application and issue the attached certificate for the proposed solar photovoltaic electric generating facility. The Commission further finds good cause, based upon the foregoing and the entire record in this proceeding, to accept registration of the facility as a new renewable energy facility. The Applicant shall annually file the information required by Commission Rule R8-66 on or before April 1 of each year and will be required to participate in the NC-RETS REC tracking system (<http://www.ncrets.org>) in order to facilitate the issuance of RECs.

IT IS, THEREFORE, ORDERED as follows:

1. That the application filed by Ruff Solar, LLC, for an amended certificate of public convenience and necessity shall be, and is hereby, approved.
2. That Appendix A shall constitute the amended certificate of public convenience and necessity issued to Ruff Solar, LLC, for the 45.5-MW_{AC} solar photovoltaic electric generating facility to be located at 1481 Ellenboro Henrietta Road, 3 miles south of Ellenboro, Rutherford County, North Carolina.
3. That the registration statement filed by Ruff Solar, LLC, for its solar photovoltaic facility located in Rutherford County, North Carolina, as a new renewable energy facility, shall be, and is hereby, accepted.
4. That Ruff Solar, LLC, shall annually file the information required by Commission Rule R8-66 on or before April 1 of each year.

ISSUED BY ORDER OF THE COMMISSION.

This the 27th day of March, 2018.

NORTH CAROLINA UTILITIES COMMISSION



Linnetta Threatt, Deputy Clerk

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-5754, SUB 0

Ruff Solar, LLC
130 Roberts Street
Asheville, North Carolina 28801

is hereby issued this

**AMENDED CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
PURSUANT TO G.S. 62-110.1**

for a 45.5-MW_{AC} solar photovoltaic electric generating facility

located

at 1481 Ellenboro Henrietta Road, 3 miles south of Ellenboro,
Rutherford County, North Carolina,

subject to all orders, rules, regulations and conditions
as are now or may hereafter be lawfully made
by the North Carolina Utilities Commission.

ISSUED BY ORDER OF THE COMMISSION.

This the 27th day of March, 2018.

NORTH CAROLINA UTILITIES COMMISSION



Linnetta Threatt, Deputy Clerk